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In re Application of	:	
ARONOWITZ, et al.	:	DECISION ON
Serial No.: 09/297,649	:	
PCT No.: PCT/US98/19190	:	RENEWED PETITION
Int. Filing Date: 11 September 1998	:	
Priority Date: 11 September 1997	:	UNDER 37 CFR 1.47(a)
Atty Docket No.: 32873-154	:	
For: NONINVASIVE TRANSDERMAL SYSTEMS	:	
FOR DETECTING ANALYTES	:	

This decision is in response to applicant's, "Renewed Petition Under 37 CFR 1.47(a)" filed 14 July 2000.

BACKGROUND

In a decision dated 10 January 2000, applicant's "Petition Under 37 CFR 1.47(a)" to accept the application without the signature of co-inventor Joel R. Mitchen was dismissed. Applicant was given a period of two months in which to respond and applicant was informed that extensions of time could be obtained under 37 CFR 1.136(a).

On 14 July 2000, applicant filed the present renewed petition. Applicant has authorized payment of extension of time fees to Deposit Account No. 50-0951.

DISCUSSION

The renewed Petition Under 37 CFR 1.47(a) is moot since a declaration filed 14 July 2000 was executed by the previous non-signing co-inventor, Joel R. Mitchen. However, the declaration filed 14 July 2000 is not acceptable under 37 CFR 1.497. The enclosed executed declaration does not list the other co-inventor, Mr. Jack L. Aronowitz.

CONCLUSION

For the reasons above, the renewed Petition Under 37 CFR 1.47(a) is **DISMISSED** as **MOOT**.

Deposit Account 50-0951 will be charged \$945.00, the 37 CFR 1.17(a)(5) fee for extension for response within fifth month.

A proper response must be filed within **ONE (1) MONTH** from the mail date of this decision or the application will be considered **ABANDONED** as to the United States. No extensions of time will be permitted. The proper response is a declaration executed by co-inventor Joel R. Mitchen which complies with 37 CFR 1.497.

Any further correspondence with respect to this matter should be addressed to the Assistant Commissioner for Patents, P.O. Box PCT, Washington, D.C. 20231, with the contents of this letter marked to the attention of the PCT Legal Office.



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